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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Baker & Botts, L.L. P. 2001 Ross Avenue Dallas, TX 75201-2980				
		EXAMINER NGUYEN, DUSTIN		
		ART UNIT PAPER NUMBER		
		2154		

DATE MAILED: 04/07/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/488,395

Applicant(s)

SITARAMAN ET AL.

Examiner

Dustin Nguyen

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 55 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 8-23, 26-40, 43-45, 48-55, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner et al. [US Patent No 6,023,474], in view of Nattkemper et al. [US Patent No 5,999,518].

4. As per claim 1, Gardner discloses the invention substantially as claimed including a system for determining subscriber information, comprising:

an access server coupled to a plurality of subscribers using a communication network [300, Figure 3] and operable to receive a communication from a particular subscriber using a particular one of a plurality of virtual circuits associated with the communication network [350, Figure 3; and col 5, lines 14-26];

a memory coupled to the access server and operable to store subscriber information for the plurality of subscribers [1070, Figure 10; and col 9, lines 8-23]; and path information for the plurality of subscribers [350, Figure 3; and col 5, lines 14-26], wherein the subscriber

Art Unit: 2154

information for the particular subscriber is indexed by the path information for the particular subscriber [Figure 16-24; and col 15, lines 14-34], the path information for the particular subscriber identifies a virtual circuit that is pre-assigned to the particular subscriber for communicating with the access server [col 5, lines 18-27; and col 9, lines 24-44]; and

a processor coupled to the memory [360, Figure 3].

Gardner does not specifically disclose

operable to compare the path information of the particular subscriber to the particular virtual circuit used to received the communication from the particular subscriber; and

determine subscriber information for communication to the particular subscriber based on the comparison.

Nattkemper discloses

operable to compare the path information of the particular subscriber to the particular virtual circuit used to received the communication from the particular subscriber [Abstract; and col 68, lines 32-56]; and

determine subscriber information for communication to the particular subscriber based on the comparison [col 6, lines 8-35].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gardner and Nattkemper because Nattkemper's teaching would allow to determine the connection path so that communication can be established in a proper manner.

5. As per claim 2, Gardner discloses

the access server comprises one of a plurality of access servers coupled to the processor [col 9, lines 28-39]; and

the path information for the particular subscriber further identifies an access server assigned to the particular subscriber [col 6, lines 6-8; and col 10, lines 45-53]; and

the processor is further operable to determine the subscriber information for communication to the particular subscriber based upon the path information for the particular subscriber and an identifier of the particular access server coupled to the particular subscriber [col 11, lines 37-col 12, lines 51].

6. As per claim 3, Gardner discloses the access server comprises

an interface coupled to the particular subscriber using the particular virtual circuit [col 4, lines 34-48]; and

a controller coupled to the interface and operable to communicate a request identifying the particular virtual circuit that couples the interface and the particular subscriber [360, 362, Figure 3; and col 6, lines 36-51].

7. As per claim 4, Gardner does not disclose the interface comprises a plurality of network line cards; the path information for the particular subscriber further identifies a network line card assigned to the particular subscriber; and the processor is further operable to determine the subscriber information for communication to the particular subscriber based upon the path information for the particular subscriber and an identifier of a particular network line card coupled to the particular subscriber. Nattkemper discloses the interface comprises a plurality of

Art Unit: 2154

network line cards; the path information for the particular subscriber further identifies a network line card assigned to the particular subscriber; and the processor is further operable to determine the subscriber information for communication to the particular subscriber based upon the path information for the particular subscriber and an identifier of a particular network line card coupled to the particular subscriber [Figure 2; and col 5, lines 33-59]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gardner and Nattkemper because Nattkemper's teaching of line card would allow expansion of service with minimal modification to the existing structure [Nattkemper, col 2, lines 5-7].

8. As per claim 5, Gardner discloses the request [i.e. call] comprises interface information identifying the interface coupled to the particular subscriber; virtual circuit information identifying the particular virtual circuit; and access server information identifying the access server [Figure 4; and col 6, lines 10-lines 67].

9. As per claim 8, Gardner discloses the virtual circuit pre-assigned to the particular subscriber is associated with the particular subscriber using a virtual channel identifier and a virtual path identifier [col 5, lines 14-17].

10. As per claim 9, Gardner discloses a virtual path identifier and a virtual channel identifier associated with the virtual circuit assigned to the particular subscriber [col 6, lines 1-8].

Art Unit: 2154

11. As per claim 10, Gardner discloses the subscriber information comprises information used to configure a communication device associated with the particular subscriber [col 9, lines 1-23].

12. As per claim 11, Gardner does not specifically disclose the subscriber information comprises at least one Internet protocol address for communication to the particular subscriber. Nattkemper discloses the subscriber information comprises at least one Internet protocol address for communication to the particular subscriber [col 54, lines 45-49; and col 56, lines 36-39]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gardner and Nattkemper because the teaching of IP address in Nattkemper would allow to integrate IP and ATM networks together.

13. As per claims 12-19, they are method claimed of claims 1-4, and 8-11, they are rejected for similar reasons as stated above in claims 1-4, and 8-11.

14. As per claims 20-23, they are rejected for similar reasons as stated above in claims 1-5.

15. As per claims 26-29, it is rejected for similar reason as stated above in claims 8-11.

16. As per claims 30-37, they are rejected for similar reasons as stated above in claims 1-4 and 8-11.

Art Unit: 2154

17. As per claims 38, 39 and 40, they are rejected for similar reasons as stated above in claims 1, 4 and 5.

18. As per claims 43, 44 and 45, they are rejected for similar reasons as stated above in claims 1, 4 and 5.

19. As per claims 48-55, they are rejected for similar reasons as stated above in claims 1-4 and 8-11.

20. Claims 6, 7, 24, 25, 41, 42, 46 and 47, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner et al. [US Patent No 6,023,474], in view of Nattkemper et al. [US Patent No 5,999,518], and further in view of Ball [US Patent No 6,446,200].

21. As per claim 6, Gardner and Nattkemper do not disclose the request comprises a RADIUS protocol request. Ball discloses the request comprises a RADIUS protocol request [col 3, lines 32-54]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gardner, Nattkemper and Ball because the teaching of RADIUS protocol of Ball reference would provides the ability to fit into an existing network environment without major modification and because it is the most prominent type of technologies being it is dial-in access [Ball, col 3, lines 48-54].

Art Unit: 2154

22. As per claim 7, Gardner and Nattkemper do not specifically disclose the request comprises a trivial file transfer protocol request. Ball discloses the request comprises a trivial file transfer protocol request [135, Figure 6]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Gardner, Nattkemper and Ball because Ball's teaching of FTP would allow additional of services to be provided to subscriber to increase the value of the system.

23. As per claims 24, 41, and 46, they are rejected for similar reasons as stated above in claim 6.

24. As per claims 25, 42 and 47, they are rejected for similar reasons as stated above in claim 7.

25. Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2154

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 306-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


ZARNI MAUNG
PRIMARY EXAMINER